

Message Text

UNCLASSIFIED

PAGE 01 BOMBAY 01564 011243Z

ACTION ERDA-07

INFO OCT-01 NEA-10 ISO-00 IO-14 ERDE-00 CIAE-00
DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05
PA-02 PRS-01 SP-02 SS-15 USIA-15 ACDA-10 EB-07
NRC-07 OES-07 FEAE-00 AID-05 OMB-01 TRSE-00 /125 W
-----023161 011245Z /44

P R 011153Z JUL 77

FM AMCONSUL BOMBAY

TO SECSTATE WASHDC PRIORITY 7420

INFO AMEMBASSY NEW DELHI

UNCLAS BOMBAY 1564

E.O. 11652 N/A

TAGS: TECH, ENGR, PERM, IN

SUBJ: TARAPUR FUEL STORAGE

REF: STATE 150616

1. WITH RESPECT TO THE NEW CLAUSE TO BE LABELLED 8(E) AS SET FORTH
PARA 1 REFTEL, THE ATOMIC POWER AUTHORITY REQUESTS THE MODIFICATION
OF THE FIRST SENTENCE OF THIS CLAUSE SO THAT IT WOULD READ: "WITH
RESPECT TO INFORMATION WHICH IS PROPRIETARY TO ERDA'S CONTRACTORS,
GOI AGREES THAT, IN ADDITION TO ACCORDING SUCH INFORMATION
THE PROPRIETARY TREATMENT DESCRIBED IN SECTION C ABOVE, IT
WILL NOT USE SUCH INFORMATION FOR ANY PURPOSE OTHER THAN OF
INCREASING THE SPENT FUEL STORAGE CAPACITY FOR THE TARAPUR STATION."
THE REMAINDER OF CLAUSE 8E IS ACCEPTABLE. THE PROPOSED CHANGE
ELIMINATES THE WORDS "STUDYING THE FEASIBILITY" IN THE
DEPARTMENT'S DRAFT AND CHANGES THE WORK "OF" TO "FOR" IN
THE LAST PHRASE OF THE SENTENCE.

2. THE EFFECT OF THIS PROPOSED CHANGE WOULD OF COURSE
PERMIT THE DAE TO USE THE GE DESIGN INCLUDING ANY
PROPRIETARY PARTS OF IT WITHOUT MAKING ANY FURTHER AGREEMENT
WITH GE, PROVING THAT THE DESIGNS WERE USED ONLY FOR
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 BOMBAY 01564 011243Z

INCREASING THE SPENT FUEL STORAGE CAPACITY FOR THE TARAPUR
STATION. THE CHANGE OF THE WORD "OF" TO "FOR" IS
DESIGNED TO COVER THE CASE IN WHICH THE DAE MIGHT, AT
SOME LATER DATE AFTER RERACKING THE EXISTING TARAPUR
POOLS, BUILD ADDITIONAL POOLS AT TARAPUR IN CASE THE
RETRIEVABLE STORAGE CONCEPT IS PUT INTO EFFECT.

3. CONGEN POINTED OUT TO THE DAE THAT THE EFFECT OF THIS CHANGE WOULD BE TO CAUSE GE TO LOAD INTO THE FEASIBILITY STUDY WHATEVER FEES IT MIGHT HAVE IN MIND FOR THE USE OF ITS PROPRIETARY PROCESSES OR DESIGNS IN POSSIBLE RECONSTRUCTION OR CONSTRUCTION OF WASTE FUEL FACILITIES AT THE TARAPUR STATION. CONGEN NOTED THAT IN EFFECT ERDA WAS BEING ASKED TO PAY FOR SOMETHING IN THE FEASIBILITY STUDY PHASE OF THE EXERCISE THAT MIGHT OR MIGHT NOT BE IMPLEMENTED. THE DAE ARGUED THAT SUCH A PROCEDURE IS NORMAL IN THEIR CONTRACTS WHEN THEY ASK FOR A DESIGN STUDY.

4. THE DAE GAVE THE FOLLOWING ADDITIONAL ARGUMENTATION IN SUPPORT OF THIS PROPOSAL TO MODIFY CLAUSE 8E.
QUOTE. THE OBJECTIVE OF THE STUDY IS TO COVER FEASIBILITY AND METHOD FOR INCREASING THE SPENT FUEL STORAGE CAPACITY FOR TAPS. ACCORDINGLY, THE SCOPE OF THE STUDY, AS BROADLY DEFINED IN CLAUSE 1, GOES WELL BEYOND DETERMINING THE FEASIBILITY AND THE OVERALL PURPOSE BECOMES AMPLY CLEAR FROM CLAUSE 4(A). IN OUR OPINION, ALL REASONABLE RESTRICTIONS ON THE USE OF PROPRIETARY INFORMATION ARE COVERED BY CLAUSES 8(A) TO 8(D) AND WE ARE RELUCTANT TO ENHANCE THESE FURTHER. HOWEVER, IN THE INTEREST OF AN EXPEDITIOUS COMMENCEMENT OF THE STUDY, WE ARE AGREEABLE TO THE INCLUSION OF 8(E) WITH THE MODIFICATION AS PROPOSED. WITHOUT THE LATTER THE SUB-CLAUSE BECOMES UNCLASSIFIED

UNCLASSIFIED

PAGE 03 BOMBAY 01564 011243Z

INCONSISTENT WITH THE REST OF THE AGREEMENT AND WITH THE PRIMARY MOTIVE (END QUOTE).

5. DAE ACCEPTS THE REVISED CLAUSE 9 AS SET FORTH PARA 3 REFTEL WITH THE FOLLOWING MINOR CHANGE: THEY REQUEST THAT THE REFERENCE TO "DAE", THE ONLY TIME IT OCCURS IN THE PARAGRAPH, BE DELETED CLAIMING IT IS NOT NECESSARY BECAUSE AS STATED IN THE PREAMBLE, THE TERM GOI COVERS THE DAE. COURTNEY

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: STORAGE, NUCLEAR FUELS
Control Number: n/a
Copy: SINGLE
Sent Date: 01-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BOMBAY01564
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770235-0514
Format: TEL
From: BOMBAY
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197707100/aaaadisg.tel
Line Count: 103
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 35fa8662-c288-dd11-92da-001cc4696bcc
Office: ACTION ERDA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 STATE 150616
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1722908
Secure: OPEN
Status: NATIVE
Subject: TARAPUR FUEL STORAGE
TAGS: TECH, ENRG, PARM, IN
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/35fa8662-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009